MANORS

HELD OF THE BISHOP *of* DURHAM

IN

CAPITE, *by* KNIGHT'S SERVICE, *and other* TENURES, &c.

The Biſhops of Durham antiently had Royal Tenures *and* Services, *of or for all, or moſt of the Lands within the County Palatine, as* Knights-Service, Soccage, Dringage, *Carriages to his Manors, Foreſts and Chaſes,* Caſtle-Guarder *and many others, retained to this Day; (ſaving where the Act of Parliament that takes away the Court of Wards and Liveries as* 12 Car. 2. c. 24. *makes an Alteration of the Tenure to* Free Soccage.)

MANOR of ERESBY *in the County of LINCOLN.*

John de Willoughbey 46 *Ed.* 3. 1372. died ſeiſed of the Manor of ERESBY with its Members *(viz.)* SPILLESBY, GREBBY, INGOLDMELS, FLYXBURGH, TONELBY, FRISKENY, BISCOPTHORP, ASKEBY, KYRKEBY *ſuper* BAYNE, TATERSALL and THORPE, all which he held of the Biſhop of Durham by the Service of *one Knights Fee, and by the Service of being Bailiff to that Biſkop for the time being, of all his Lands in the County of Lincoln, of his Fee;* viz. *to hold his Courts, and to make Summons, Attachments, Diſtreſſes and whatſoever belonged to the ſame Office, at his own proper Coſts, and his Heirs: Alſo to levy all the Iſſues and Profits ariſing thereby, by himſelf or his ſufficient Deputy, and to be anſwerable to the Biſhop and his Succeſſors for the ſame.* Likewiſe, by the Service *of being Steward to him and his Succeſſors, and to carry the Meſſes of Meat to the Table upon the Day of their Conſecration, as alſo at Chriſtmas and Whitſontide, by himſelf or his eldeſt Son in caſe he were a Knight, or ſome other fitting Knight thereunto deputed by Letters Patent.* Eſch. Roll. 46. Ed. 3. n. 78. Dugdales Baronage Vol. 2. p. 84. Blounts Tenures p. 133.

MANORS of STANHOPE, WOLSINGHAM *and* AUCKLAND, *in the County of DURHAM.*

STANHOPE together with WOLSINGHAM and AUCKLAND in the *Biſhoprick* of *Durham*, were held of the Biſhop by *Foreſt-Service*, beſides Demeſnes and other Tenures. Particularly *upon his great Huntings, the Tenants in thoſe Parts were bound to ſet up for him a* Field-houſe *or* Tabernacle *with a Chapel and all manner of Rooms and Offices; as alſo to furniſh him with Dogs and Horſes, and to carry his Proviſion, and to attend him during his Stay, for the Supply of all Conveniencies.* Camd. Brit. 944. Engliſh Copyholder 511.

☞ *This is now probably changed into a Pecuniary Payment.*

A Count Palatine who has Jura Regalia *granted to him, may create a* Tenure in Capite *to hold of himſelf; for by the Grant, it is in a manner diſjoined from the Crown and out of the King, and he is made a Petty King.* Davis Reports, 62. 66.

MANORS of BINCHESTER & HUNWICK *in the County of Durham.*

John Fordham Biſhop of Durham 5 Rich. 2. 1382. by his Letters Patent granted Licence to *Robert de Byncheſtre* to make a Feoffment in Fee of the Manors of *Bincheſtre* and *Hunwick*, held of the Biſhop in Capite. *Madox's Formulare. Num.* 570. *p.* 323. (*viz.*)

JOHANNES Dei Gratia Epiſcopus *Dunolmenſis*, Omnibus ad quos præſentes Literæ pervenerint ſalutem. Sciatis quod de gratia noſtra ſpeciali et per finem decem librarum quem dilecti nobis in Chriſto *Ricardus de Cheſterfeld* Perſona Eccleſiæ de *Brancepath*, et *Willelmus de Sutton* Perſona Eccleſiæ de *Whitwell* in *Scareſdale* fecerant nobiſcum, conceſſimus et licenciam dedimus pro nobis

et

7 DE 55

This Grant is dispersed in another copy I have seen.

MANOR of RABY *in the County of DURHAM.*

About the 13 Ed. 1. 1285. there was much Variance between the Inhabitants of the *Biſhoprick of Durham* and *Anthony Beke* (that great Prelate) then Biſhop of Durham, by reaſon he had compelled them to go twice into Scotland with Horſe and Arms; which they alledged to be contrary to right, in regard they held their Lands to defend the Body of *S. Cuthbert*; and that they ought not, neither for King or Biſhop, to go beyond the Rivers of *Tyne* and *Teſe*: RALPH NEVILL then Lord of RABY was the chief Countenancer of thoſe who thus oppoſed the Biſhop. And not long after, another Diſpute aroſe between this *Ralph* and *Hugh de Darlington* then Prior of Durham, *about the offering of a Stag every Year upon S. Cuthberts day in September*; which (in truth) was rather a Rent than an Oblation, in regard he held RABY with the Eight adjoining Townſhips, by the Yearly Rent of *Four Pounds and a Stag*. For contrary to the cuſtom of his Anceſtors, he not only required, that the Prior of Durham at the offering of the Stag ought to feaſt him and all the Company he ſhould bring; but that the Priors own menial Servants ſhould for that time be ſet aſide, and his peculiar Servants and Officers put in their ſtead. Whereupon amongſt other of his Gueſts he invited *John de Balliol* of *Barnard Caſtle* who refuſed to go with him, alledging, that he never knew the *Nevills* to have ſuch a Privilege there; *Sir William de Brompton* (the Biſhops Chief-Juſtice) likewiſe acknowledging, that he himſelf was the firſt whobegan that extravagant Practice; for being a young Man and delighting in hunting, he came with the *Lord Nevill* at the offering of the Stag, and ſaid to his Companions, *Come let us go into the Abby and wind our Horns*, and ſo they did. The Prior farther adding, that before the time of this *Ralph*, none of his Predeceſſors ever made any ſuch Claim, but when they brought the Stag into the Hall they had only a Breakfaſt; nor did the Lord himſelf ever ſtay Dinner, except he was invited.

BRITISH MUSEUM

In

In 5*th. Ed.* 3. 1331. *Ralph Nevill* (Son of the former) doing his Fealty to *William de Cowton* then Prior of Durham upon Lammas day for the Manor of Raby; he told him, that he would offer the Stag as his Anceſtors had done; ſaving that, whereas his Father required, that the Priors Servants ſhould be ſet aſide at that time, and his own ſerve in their ſtead; he would be content, that his ſhould attend together with thoſe of the Priors: And whereas his Father inſiſted, that his Servants ſhould only be admitted at Dinner; he ſtood upon it, that his ſhould be there entertained the whole day, and likewiſe the morrow at Breakfaſt.

Whereunto the Prior made Anſwer, that none of his Anceſtors were ever ſo admitted, and that he would rather quit the Stag, than ſuffer any new Cuſtom to the prejudice of their Church. But to this *Ralph* replied, that he would perform the whole Service or none, and put the Trial of his Right upon the Country. The Prior therefore knowing him to be ſo powerfull, and that the Country durſt not diſpleaſe him, declined the offer. However at length to gain his favour, (in regard he had no ſmall Intereſt at Court, and might do him a kindneſs or a diſpleaſure) was content for that one time he ſhould perform it as he pleaſed, ſo that it might not be drawn into example afterwards; and for that purpoſe propoſed, that Indentures ſhould be made between them.

Whereupon the *Lord Nevill* brought but few with him, and thoſe more for the honor of the Prior than a burthen, and ſo ſhortly after Dinner, took his leave, but left one of his Servants to lodge there all Night, and to take his Breakfaſt there on the next Day; proteſting, that being both a Son and Tenant to the Church, he would not be burthenſome to it, in reſpect it would be no advantage to himſelf, but might much damnify it, if he ſhould bring with him as great a Train as he would, ſaying, *What doth a Breakfaſt ſignify to me? Nothing.*

And likewiſe, that if the Prior would ſhew that he had no right to what he ſo claimed, he would freely recede therefrom; and if he had a right, he would

would accept of a Compoſition for it, rather than be burthenſome to the Convent; but if they ſhould put him to get his Right by Law, then he would not abate any thing thereof.

Whereupon enquiry being made amongſt the oldeſt Monks of that Houſe; they affirmed, that being of Eight Years ſtanding when his Father was before repulſed, they had often ſeen the Stag offered, and that he never ſtaid Dinner, but when the Prior invited him; and ſome antient Men of the Country teſtified as much; as alſo, that as ſoon as the Stag was brought, they carried him to the Kitchen, and thoſe who brought him, were taken into the Hall to Breakfaſt, as they that brought their Rents uſed to be.

Moreover, when it happened any of the *Lords Nevill* to be deſired to ſtay Dinner with the Prior, his Cook was admitted into the Kitchen to prepare a Diſh for him; ſo likewiſe another Servant in the Cellar to chuſe his Drink, and in like manner ſome other at the Gate, who knew his Servants and Followers, merely to let them in, and keep others out, who under pretence of being his Servants, might then intrude; but this was only done by the Prior as out of Courteſie and reſpect, and not at all out of Right.

Hereupon *Henry le Scrope* one of the Juſtices affirmed, that he had been of Counſel with *Ralph Nevill* (Father of this *Ralph*) when he brought his Writ of *Novell Diſſeiſin* againſt the Prior; and told him, that he had no right at all: Whereupon *Ralph* let fall his Suite.

Some ſaid, that making this Claim out of his own Fee, he ought there (*viz.* in the Priory) to ſhew ſome ſpecial Evidence to aſſert his Claim. Others that as the Prior did challenge nothing of him, but what was reſerved by the Grant; ſo could not he, unleſs he ſhewed a Charter for it. And beſides, claiming to be entertained with as many as he ſhould bring, and not ſpecifying the number, there could be no lawful reaſon for it, becauſe the Stag was always offered on *Holy Rood* day, whereupon grew an old Song in rhyme as a Lamentation for *Robert de Nevill* his Great Grandfather.

Wel

Wel I wa, ſal ys hornes blaw
Holy Rode this Day;
Nou es he dede, and lies law
Was wont to blaw thain ay.

Moreover it was farther ſaid, that it never had been the Cuſtom of the Prior to make a Feaſt on that Day, when the Servants of ſo great a Perſon were to offer; and that the Prior uſually on *S. Cuthberts* day had wont to dine with the Biſhop at ſome of his own Manor houſes; therefore, who ſhould compel him to make a Feaſt at home? Likewiſe, that thoſe Lands were given to the Anceſtors of this *Lord Nevill*, when they were not ſuch great Men as to have a Marſhal, a Butler and other Servants of State; for in thoſe Days they had no more than RABY with its Appurtenances, which was not then of ſo much worth as now; for BRANCEPATH and RASKELFE came to them ſince by Marriage; as alſo other Lands in *Yorkſhire* and *Richmundſhire*: Therefore it could not be thought that the Prior of Durham did give them Lands of ſuch Value, and purchaſe the Service to be done for them at ſo high a rate, eſpecially conſidering; that in the Priors Land Book not only all the Services are exactly regiſtred, but whatſoever others ought to receive of him. And laſtly, that there is not ſo much as mention of this Service in any of their Chronicles.

In 41. *Ed.* 3. 1347. This *Ralph Nevill* died, and was buried in the Church of Durham, on the South ſide thereof, being the firſt Secular Perſon that had Sepulture there; which favour he obtained from the Prior and Convent for a Veſtment of Red Velvet, richly embroidered with Gold, Silk, Great Pearls and Images of Saints ſtanding in Tabernacles, by him given to *Saint Cuthbert*: His Body being brought in a Chariot drawn with Seven Horſes, unto the bounds of the Church Yard, and then carried upon the Shoulders of Knights into the middle of the Church, where the Abbot of *S. Maries* in *York* (by reaſon of the Biſhops abſence and impotency of the Prior) performed the Office of the Dead, and celebrated the morrow Maſs, at which were offered

Eight

Eight Horſes, (*viz.*) four for the War, with four Men armed, and all their Harneſs and Habiliments; and four other for Peace: As alſo three Cloths of Gold of a blue colour interwoven with flowers; four of which Horſes were after the Funeral redeemed by *John de Nevill* his Son and Heir for *One Hundred Marks*.

Beſides all which, *Alice* his Widow ſent to the Sacriſt 120 Pounds of Silver for the repairs of the Cathedral; and moreover gave thereto for celebrating his Anniverſary, one Veſtment, two Tunicles, one Cope, three Albs, three Stoles, four Maniples of black Sattin, and another Veſtment to be uſed at the celebration of the Sacrament, embroidered with the Arms of *Nevill* and *Audley* (She being the Daughter of *Hugh* Lord *Audley*.) She died in 1374 leaving three Sons *John*, *Robert* and *William*.

John the *Eldeſt* about the 45. of Edward 3*d*. 1371. made all that new work of Marble and Alablaſter in the Church of Durham, under the Shrine of *S. Cuthbert* which coſt above two hundred Pounds. He died 17 Oct. 12. Rich. 2. 1389 and was buried on the Southſide of the Body of the Cathedral at Durham. At the Funeral of his *firſt* Wife (*Maud Daughter of Lord Percy*) there were offered in the Church of Durham, Six Cloths of Gold, whereof ſeveral Veſtments were made, *viz*. two for the High Altar, as alſo one Cheſible and two Tunicles. His *ſecond* Wife was *Elizabeth* Daughter and Heir to *William* Lord *Latimer* of *Danby*, who died 1396. By his *firſt* Wife he had an only Son *Ralph* who was the *firſt Earl* of *Weſtmorland*.

Extract from the Will of *John Nevill* Lord of *Raby*.

IN Dei nomine Amen. *Ultimo die Auguſti anno Domini* 1386. *Ego* Johannes de Nevill *Dominus de* Raby *condo Teſtimentum meum in hoc modo. In primis do et lego animam meam Deo et beatæ Mariæ et omnibus Sanctis corpuſque meum ad ſepeliendum Monaſterio Dunolmenſi juxta corpus* Matildæ *quondam uxoris meæ*.

Item

Item do et lego pro omnimodis expenſis ſepulturæ meæ faciendis de ordinacione Executorum meorum cc *l. Item volo quod* xxiiii *Torches et* v *Tapers, quolibet Taper pondere* x *lib. præparentur pro ſepultura mea abſque alio hercio. Et volo quod dicti* xxiiii *torchii teneantur per* xxiiii *pauperes indutos togis de ruſſeto. Et volo quod Ciſta corporis mei cooperiatur cum panno laneo de ruſſeto et* i *cruce rubea, et quod barrarii circa corpus meum die ſepulturæ meæ ordinentur de eadem ſetta, et quod* i *Equus ſit arraiatus pro guerra cum* i *homine armato de armis meis cooperto de ruſſeto cum ſcochons de armis meis, et* i *alius Equus de eadem ſetta cum* i *homine deſuper pro bannerio meo abſque pluribus Equis, et dicti duo Equi oblentur die ſepulturæ meæ ſicut moris eſt et ſint dimiſſi cum Eccleſia. Item volo quod omnes qui veſtientur pro ſepultura mea induantur ruſſeto, et etiam le Chariot in quo contigerit corpus meum duci ad humacionem cooperiatur de ruſſeto ſecta ciſtæ et barrariorum cum ſcochons armorum meorum ut ſupra. Datas apud Midelham die et anno ſupradictis.* Madox Form. p. 427.

This John Nevill Lord of Raby and his Father Ralph were both in the *Battle at Durham* 17*th.* October 1346. where *David Brus* King of Scotland was taken Priſoner and the Scotch Army entirely routed with the loſs of 15000 Men. In memory whereof *Ralph Nevill* erected on the Weſt-ſide of the City of Durham upon the field of Battle an elegant *Stone Croſs* called *Nevills Croſs*. It was defaced in 1589, there are ſtill ſome remains to this day.

Ralph was created *Earl of Weſtmorland* 29 *th.* September 21. Richard 2*d.* 1398. and founded a College on the North ſide of Staindrop Church in 10. Hen. 4. 1409 *(of which hereafter.)* His *firſt* Wife was *Margaret* Daughter of *Hugh Earl of Stafford* who died 9*th.* June 1370. and was buried at *Brancepeth* by whom he had Iſſue *two* Sons *John* and *Ralph* and ſeveral Daughters. He died 21. October 1425. and lieth buried in the Choir of Staindrop Church under a ſtately Tomb of Alablaſter, whereon are the figures of himſelf and both his Wives. *John* the *Eldeſt* Son died in the life time of his Father 1423.

having

having married *Elizabeth* Daughter of *Thomas Holland Earl of Kent*, by whom he left Iſſue *two Sons*, *Ralph* (*afterwards Earl of Weſtmorland*) and *John* who was kill'd at the Battle of *Towton* 1. Edw. 4. 1461, having married *Anne* the Widow of his Nephew *John Nevill*, by whom they had Iſſue *Ralph* the *Third Earl of Weſtmorland.*

This RALPH *firſt* Earl of Weſtmorland married a *ſecond Wife*, *Joan* the Daughter of *John a Gaunt* Duke of Lancaſter, who died 13. Nov. 1440, and by her had Iſſue *Eight* Sons and *Five* Daughters, *viz.*

1. RICHARD was *Earl* of *Saliſbury* in right of his Wife *Alice* Daughter & Heir of *Thomas Montacute* Earl of Saliſbury, they had Iſſue *Richard Nevill* the famous *Earl of Warwick*, *John Marquis Montacute*, *George Archbiſhop of York*, and *Six* Daughters.
2. WILLIAM *Lord Fauconberg* (in right of his Wife *Joan* Daughter and Heir of *Thomas Lord Fauconberg*) and afterwards created *Earl of Kent.*
3. GEORGE *Lord Latimer*, which Barony his Father purchaſed and ſettled on this Son, and 10. Hen. 6. 1432 he was created *Lord Latimer.*
4. EDWARD *Lord Abergavenney* in right of his Wife *Eleanor* Daughter & Heir of *Richard Beauchampe Earl of Worceſter and Lord Abergavenney.*
5. ROBERT who was Lord Biſhop of Saliſbury, and in 1438. was tranſlated from thence to Durham, where he ſat Biſhop 19. Years, and built the Exchequer and other Publick Offices there near the Palace Gates, he died in 1457 and lies buried near to his Anceſtors Tombs in the South Iſle of Durham Cathedral, over whom is placed a large flat Stone of blue Marble, on which has been inlaid his Effigies in Braſs, with an Inſcription around the margin, but now ſtolen away.
6. 7. 8. CUTHBERT, HENRY, and THOMAS, all died without Iſſue according to *Dugdale*, but *Mills* in his Catalogue of the Nobility ſays, that *Thomas* was *Lord Seymor* in right of his Wife the Heir of the *Seymors.*

A Retainer

A Retein:r of John de Thorp *Eſq; for Term of his Life with the firſt* Earl of Weſtmorland, *as well in time of Peace as of War.* 7. Hen. 4. 1406. Madox Form. p. 97.

CESTE Endenture faicte perentre *Rauf* Conte de *Weſtmerland*, Sire de *Nevill* et Mareſchall *Dengleterre* dune part, et *Johan de Thorp* Eſquier dautre parte: Teſmoigne, que le dit *Johan* eſt demore et retenue ovec le dit Conte pur terme de ſa vie, encontre toutes gentz, fauvant noſtre treſſoverein Seignur le Roy et ſes heirs Rois *Dengleterre*; Pernant per an du dit Conte en temps de pees quarrant ſouldz par an pur ſon fee as termes de Scint Martyn en yver et Pentecoſt par ouelles porcions, par les maynes de noſtre Reſceivour de *Richmond* que pur le temps y ſerra, et prendra en temps de guerre, autielx gages come le dit Conte donera as autres de ſon degree; Rebatuz toutes foiz lafferant de ſon dit fee pur le temps de guerre: Et ſerra le dit *Johan* bien et covenablement montez, armez, et arraiez, et preſt tout diz a Chivaucher ovec le dit Conte ou ſon depute, a toutes les foiz quil ſerra garney a ce faire: Et le dit Conte avera les tierces de guerre, gaignez par le dit *Johan*, ou par ſes gentez quelx il avera as gages ou couſt du dit Conte: Et ſaucune Capitayn ou home deſtat ſoit pris par le dit *Johan*, ou par ſez dictes gentz; le dit Conte lavera faiſant al pernour reſonable regarde pur lui. En teſmoignance de quelle choſe, a yceſtes les parties ſuſditz entrechangeablement ont mys lour ſealx. Done a *Raby* le xxiiij Jour *Daverill*, lan du Regne le Roy *Henry* quart puis le Conqueſt *ſeptiſme*.

A TRANSLATION of the above.

THIS INDENTURE *made between* Ralph Earl of Weſtmerland Lord *of* Nevill *and Mareſchall of England, of the one part, and* Johan de Thorp *Eſquier of the other part: Witneſſeth, that the ſaid* Johan *is ſtayed and reteined with the ſaid*

ſaid Earl for term of his life, againſt all Men, ſaving our moſt Sovereign Lord the King and his heirs Kings of England: Receiving annually of the ſaid Earl, in time of Peace Forty Shillings a Year for his fee, at the terms of Saint Martin in Winter, and Pentecoſt, by equal portions, by the hands of our Receiver of Richmond, that for the time being ſhall be there; And ſhall take in time of War, ſuch Wages as the ſaid Earl ſhall give to others of his degree; abateing however the tax of his ſaid Fee for the time of War: And the ſaid Johan *ſhall be well and ſuitably mounted, armed and arrayed, and always ready to ride with the ſaid Earl or his Deputy, at all times he ſhall be warned ſo to do: And the ſaid Earl ſhall have the thirds of War, won by the ſaid* Johan, *or by his Men that he ſhall have at the wages or coſt of the ſaid Earl: And if any Captain or Man of Eſtate be taken by the ſaid* Johan, *or by his ſaid Men; the ſaid Earl ſhall have him, making to the taker reaſonable reward for him. In teſtimony of which thing, to theſe the parties aboveſaid interchangeably have ſet their Seals. Given at* Raby *the* xxiiij *day of* Averill, *the* ſeventh *Year of the Reign of* K. Hen, *the 4th. ſince the Conqueſt.*

Extract from the Will of *Ralph Nevill 1ſt.* Earl of Weſtmorland. 3. Hen. 6. 1424. Madox Form. p. 432.

IN DEI NOMINE AMEN. *Ego* RADULPHUS de NEVILL *Comes Weſtmerland, compos mentis et ſanus corpore, condo ac facio Teſtimentum meum in hunc modum.* Inprimis *do et lego animam Deo Omnipotenti beatæ Mariæ Virgini et omnibus Sanctis; Corpuſque meum ad ſepeliendum infra Monaſterium Conventuale S. Cuthberti Dunelmi, vel in Eccleſia Collegiata de Standropp.* Item *do et lego nomine Mortuarii mei, duos Equos cum apparatu ſecundum ordinacionem Executorum meorum in die ſepulturæ meæ, prout moris eſt.* Item *do et lego cuilibet Conventui Fratrum infra Epiſcopatus Ebor. et Dunelmi,* xl *s. in elemoſina; et cuilibet Anchoritæ in dictis Epiſcopatibus* xx *s; et cuilibet Conventui Monalium in dictis Epiſcopatibus* xx *s; et cuilibet Clerico Capellæ non promoto adtunc* xx *s; et cuilibet Quereſtario* vis viiid Item *do et lego ad ædificationem et complementum Collegii de* Standropp, *de bonis*

et

et Jocalibus meis ad valorem ccc *marcarum, ſi non perficiatur in vita mea.* Item *do et lego prædicto Collegio de Standropp omnia Veſtimenta et Altariola de Capella mea ibidem imperpetuum, ad divina obſequia deſervitura.* Item *do et lego cuilibet Capellano de dicto Collegio adtunc exiſtenti* xx *s; et cuilibet Generoſo ſæculari ejuſdem Collegii* vi *s.* viii *d.* Item *do et lego ad Pontem faciendum apud* Wynſton c *marcas.* In *cujus rei teſtimonium huic præſenti teſtimento ſeu ultimæ voluntati meæ Sigillum meum appoſui. Datum in Caſtro meo de* Raby *Dunelmenſis Diœceſis, anno Domini Milleſimo* cccc xxiiii, *et menſis Octobris die* xviii, *anno eciam regni Regis Henrici Sexti poſt Conqueſtum Angliæ tercio.*

Ralph ſucceeded his Grandfather as *ſecond Earl of Weſtmerland;* married to his *firſt* Wife *Elizabeth* Daughter of *Henry Lord Percy*, by whom he had a Son *John* who died without Iſſue 21. March 1451. This Earl died 3. Nov. 1485. and was ſucceeded in Title by his Nephew *Ralph.*

Ralph *third Earl of Weſtmerland*, married *Margaret* Daughter of *Sir Roger Booth* of *Barton in Lancaſhire* who was buried on the South-ſide of the Choir at *Brancepeth.* They had a Son *Ralph* who died in the Fathers lifetime having married *Editha* Daughter of *Sr. William Sands* of *Hampſhire*, by whom he had *Ralph* the *fourth Earl of Weſtmerland. It has been ſaid, that this third Earl died at Hornby-Caſtle in Yorkſhire for grief of the loſs of his eldeſt Son (who was buried at Brancepeth in a Chappel on the Southſide of the Choir) and that he himſelf was buried in the Pariſh Church of Hornby, but the time of his death is uncertain.*

Ralph the *fourth Earl of Weſtmerland* died 1549. leaving Iſſue by *Cath.* Daughter of *Edward Stafford Duke of Buckingham*, 7. Sons and 9. Daughters and was ſucceeded in title by his eldeſt Son *Henry.*

Henry *fifth Earl of Weſtmerland*, married to his firſt Wife *Anne* Daughter of *Thomas Manners Earl of Rutland*, by whom he had Iſſue an only Son *Charles.* He died 9*th.* Feb. 1564, and by his Will dated 18*th.* Aug. 1563.

directed

THE Indenture-part *of a* FINE *levied in the Court held at* SADBERGE *in the time of* Robert Nevill *Biſhop of Durham before his Juſtices.* 27. Hen. 6*th.* 1449.

HÆC eſt finalis Concordia facta in Curia Domini *Dunelmenſis* Epiſcopi apud *Sadberge* die Mercurii proxima ante feſtum Sancti Laurencii Martyris anno regni *Henrici* Regis Angliæ et Franciæ *ſexti* poſt Conqueſtum viceſimo ſeptimo et Pontificatus Domini *Roberti* Epiſcopi Dunelmenſis anno duodecimo coram *Willielmo Nevill* Dom. de Fauconberge, *Thoma Nevill Thoma Lumley Willielmo Eure Thoma Fulthorpe* Militibus *Johanne Pockyngton Roberto Beaumont* Clerico *Roberto Danby Chriſtophoro Boynton Johanne Lounde* Clerico *Willielmo Rackett* et *Ricardo Wenden* Juſticiariis ipſius Epiſcopi apud *Sadberge*. Et preterea ſcilicet die lunæ proxima poſt feſtum Sancte Luciæ Virginis anno regni Regis prædictæ viceſimo octavo et Pontificatus dicti Domini Epiſcopi anno duodeçimo ſupradictæ coram eiſdem Juſticiariis et aliis dicti Domini Epiſcopi fidelibus tunc ibi preſentibus ibidem conceſſa et recordata inter *Willelmum Blackwell* Capellanum *Thomam de Baines* et *Thomam Counden Querentem* et *Thomam Norman* de *Novo Caſtro ſuper Tynam* et *Margaretam* Uxorem ejus *Deforcientes* de duobus Meſſuagiis et ſexaginta acris terræ cum pertinenciis in *Cotom Anundeville* unde placitum convencionis ſummonitum fuit inter eos in eadem Curia, ſcilicet &c.

THE WRIT *of* Thomas Langley *Biſhop of Durham to adjourn the Seſſions on account of the Plague.* 15*th.* Sept. 1416.

DE 36

THOMAS Dei gratia Epiſcopus Dunelm. Vicecomiti Dunelm. Salutem. Quia tam propter *gravem Peſtilentiam* que in Civitate noſtra Dunelm. et partibus vicinis a diu eſt duravit et adhuc quod dolendum eſt durat quam quibuſdam aliis de cauſis nos moventibus omnes Aſſiſas Juratas Certificationes et Attinctas coram Juſticiariis noſtris apud Dunelm. in Comitat. Dunelm. arraiand. que coram eis die Jovis proximo ante feſtum Sancti Mathæi Apoſtoli reſtant

cujus rei teſtimonium has Literas noſtras fieri fecimus Patentes; Datas *Dunelmi* per manus *Willelmi Chaunceller* Cancellarii noſtri *primo* die *Maii* anno Pontificatus noſtri *viceſimo quarto*. Per ipſum Epiſcopum.

☞ *The Original is in the Augmentation Office to which a diminiſh'd Seal of Yellow Wax upon a Parchment Label is appendant. On the foreſide the Biſhop clad in Pontificals, ſitting on a Throne; on the Reverſe he is in the Equipage of a Knight mounted on a ſtately Horſe.* Robert Nevill *the next Biſhop uſed the like Seal.*

A FINE *of a Manor, Lands & Rent, levied in the Court of* Thomas (Hatfield) *Biſhop of Durham before his Juſtices and Liegemen*, 137°.

Madox Form. p. 226. num. 380.

HÆC eſt finalis Concordia facta in Curia Domini *Dunelmenſis* Epiſcopi apud *Dunolmum* die Veneris proxima poſt feſtum Circumciſionis Domini anno regni Domini *Edwardi* Regis Angliæ tercii poſt Conqueſtum quadrageſſimo quarto regni vero ſui Franciæ triceſimo primo et Pontificatus Domini *Thomæ* Epiſcopi viceſimo ſexto coram *Johanne Moubray Thoma de Ingelby* et *Alano de Shotelyngton* Juſticiariis aſſignatis et aliis dicti Domini Epiſcopi fidelibus tunc ibi præſentibus inter *Johannem de Nevill de Raby* Chivaler *Querentem* et *Katerinam de Whitfeld Deforciantem* de Manerio de *Newton Haunſard* quadraginta meſſuagiis ſexcentis acris terræ ſexaginta acris prati et centum ſolidatis redditus cum pertinenciis in *Swayneſton et Elmeden* unde placitum convencionis ſummonitum fuit inter eos in eadem Curia ſcilicet quod prædicta *Katerina* recognovit prædicta manerium tenementa et redditum cum pertinenciis eſſe jus ipſius *Johannis* et illa remiſit et quiete clamavit de ipſa *Katerina* et hæredibus ſuis præfato *Johanni* et hæredibus ſuis imperpetuum. Et pro hac recognitione remiſſione quieta clamancia fine et concordia prædictus *Johannes* dedit præfatæ *Katerinæ* unum Eſpervarium Sorum.

A PARDON *from* Thomas Langley *Biſhop of Durham of a Treſpaſs in purchaſing Lands held of him* in Capite *without his Licence.*

1. May 1430.

Madox Form. fo. 331. num. 587.

THOMAS Dei gratia Epiſcopus Dunelmenſis, Omnibus ad quos preſentes literæ pervenerint ſalutem. Sciatis quod cum *Willelmus Tunſtall* Clericus, *Willelmus Horne* Clericus, *Gilbertus Waweton*, *Johannes Morton*, et *Johannes Quixley* nuper adquiſiviſſent ſibi et hæredibus ſuis de *Radulpho* nuper Comite *Weſtmerlandiæ* Domino de *Neville de Raby* et de *Midelham*, Maneria de *Weſt-Brandon*, *Ineſley*, *Roulee*, *Hedley*, *Corneſawe*, *Thornelee*, *Grenewell*, *Helmepark*, *Byncheſtre*, *Whitworth*, *Whetelawe*, *Weſtberden*, *Pelton*, *Wynlaweton*, *Staynton in le Strete*, cum pertinenciis; ac tria Meſſuagia, ſex bovatas et novem acras terræ et prati cum pertinenciis infra Manerium noſtrum de *Blakwell*, per nomen Manerii de *Blackwell*; ac unum Meſſuagium centum et quaterviginti et quindecim acras terræ prati et boſci cum pertinenciis infra Manerium noſtrum de *Bires* per nomen Manerii de *Bires* quæ de nobis tenentur in Capite; et illa ingreſſi fuiſſent licencia noſtra ſuper hoc non optenta. Nos de gratia noſtra ſpeciali et pro ducentis libris nobis ſolutis in Camera noſtra, Perdonavimus tranſgreſſionem factam in hac parte. Et ulterius conceſſimus pro nobis et ſucceſſoribus noſtris, quantum in nobis eſt, præfatis *Willelmo*, *Willelmo*, *Gilberto*, *Johanni*, et *Johanni*, quod ipſi habeant et teneant Maneria, Meſſuagium, Terram, Pratum, et Boſcum prædicta cum pertinenciis ſibi et hæredibus ſuis de nobis et ſucceſſoribus noſtris per ſervicia inde debita et conſueta imperpetuum: Nolentes quod prædictus nuper Comes vel hæredes ſui aut præfati *Willelmus*, *Willelmus*, *Gilbertus*, *Johannes*, et *Johannes* vel hæredes ſui racione præmiſſorum per nos vel ſucceſſores noſtros, Juſticiarios, Eſcaetores, Vicecomites, aut alios Ballivos ſeu Miniſtros noſtros vel ſucceſſorum noſtrorum quoſcumque inde occaſionentur, moleſtentur in aliquo ſeu graventur. In cujus

BRITISH MUSEUM

et Succeſſoribus noſtris quantum in nobis eſt *Roberto de Byncheſter* quod ipſe de Maneriis de *Bincheſter* et de *Hunwyk* cum pertinenciis quæ de nobis tenentur in capite feoffare poſſit præfatos *Ricardum* et *Willelmum*; Habendis et tenendis ſibi et hæredibus ſuis de nobis et Succeſſoribus noſtris per ſervicia inde debita et conſueta imperpetuum; ita quod iidem *Ricardus et Willelmus* habita inde plena et pacifica ſeiſina dare poſſint et concedere prædicta Maneria cum pertinenciis præfato *Roberto* et *Katerinæ* uxori ejus; Habenda et tenenda eiſdem *Roberto* et *Katerinæ* et hæredibus maſculis de corporibus ipſorum *Roberti* et *Katerinæ* exeuntibus de nobis et Succeſſoribus noſtris per ſervicia prædicta imperpetuum; ita quod ſi iidem *Robertus* et *Katerina* ſine hærede maſculo de corporibus ſuis exeunte obierint, tunc prædicta Maneria cum pertinenciis poſt mortem prædictorum *Roberti* et *Katerinæ*, *Johannæ* filiæ prædicti *Roberti* et hæredibus de corpore ipſius *Johannæ* exeuntibus remaneant, tenenda de nobis et Succeſſoribus noſtris per ſervicia prædicta imperpetuum; Et ſi eadem *Johanna* ſine hærede de corpore ſuo exeunte obierit, tunc prædicta Maneria cum pertinenciis rectis hæredibus ipſius *Roberti* remaneant, tenenda de nobis et Succeſſoribus noſtris per ſervicia prædicta imperpetuum: Et eiſdem *Ricardo* et *Willelmo* quod ipſi prædicta Maneria cum pertinenciis a præfato *Roberto* recipere poſſint et tenere ſibi et hæredibus ſuis ut prædictum eſt imperpetuum: Nolentes quod iidem *Ricardus* et *Willelmus* vel hæredes ſui ratione præmiſſorum per nos vel Succeſſores, Juſticiarios, Eſcaetores, Vicecomites, aut alios Ballivos ſeu Miniſtros noſtros quoſcunque occaſionentur, moleſtentur in aliquo ſeu graventur. In cujus rei teſtimonium has Literas noſtras fieri fecimus Patentes; datas *Dunelmi* per manus *Willelmi de Elmeden* Cancellarii noſtri *decimo* die *Julii* anno Pontificatus noſtri *tercio*.

7 DE 55

John Fordham Biſhop of Durham had Reſtitution of the Temporalties of that See 23. October 5. Ric. 2. Original de anno 5. Ric. 2. 1382. Rot. 27. ex parte remem. Theſ.